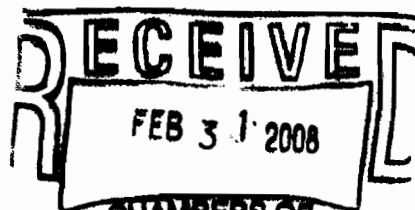


MEMO ENDORSED



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

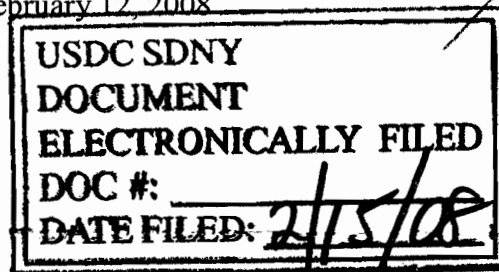
CHAMBERS OF
GERARD E. LYNCH
U.S.D.J.

MICHAEL SUAREZ
phone: 212-788-8710
fax: 212-788-0877
email: msuarez@law.nyc.gov

February 12, 2008

VIA FACSIMILE

Honorable Gerard E. Lynch
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 910
New York, NY 10007-1312



Re: Evans v. New York City Department of Correction, et. al.
07-CV-9865 (GEL)(FM)

Dear Judge Lynch:

I am the Assistant Corporation Counsel assigned to the above-referenced action. I write on behalf of the defendants¹ to respectfully request that defendants' time to respond to the Complaint be extended from February 11, 2008 to March 14, 2008. This is defendants' first request for an extension of time in this matter. The additional time is necessary to interview the named defendants and determine issues of representation pursuant to General Municipal Law 50-k(2), as well as to conduct an investigation into plaintiff's allegations.

]*

*SO ORDERED
Gerard E. Lynch
GERARD E. LYNCH, U.S.D.J.
2/14/08

Returned to chambers for scanning on 2/21/08
Scanned by chambers on 2/25/08

¹ Upon information and belief, all of the defendants in this action have not been properly served with the Summons and Complaint. An extension of time will increase the likelihood of this office being able to interpose a single answer.

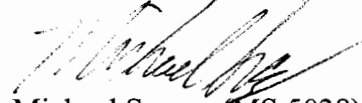
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As plaintiff is incarcerated and proceeding *pro se*, I am unable to obtain his consent prior to making this request.

Thank you for your courtesy and consideration of defendants' request to extend its time to respond to the Complaint to March 14, 2008.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Michael Suarez", is written over a horizontal line.

Michael Suarez (MS 5038)
Assistant Corporation Counsel

cc: Rudolph Evans, *Pro Se*
#90-T-3696
Mid-Orange Correctional Facility
900 Kings Highway
Warwick, New York 10990-0900